

FORM PTO-1390 (Modified) (REV 11-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>MC-158.USA</b>	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)	
				<b>09/914669</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/US00/05454</b>		INTERNATIONAL FILING DATE <b>03 March 2000</b>		PRIORITY DATE CLAIMED <b>03 March 1999</b>	
TITLE OF INVENTION <b>HERPES SIMPLEX VIRUS REACTIVATION MODEL</b>					
APPLICANT(S) FOR DO/EO/US <b>Diane E. GOADE, Donna F. KUSEWITT, Robert A. NOFCHISSEY</b>					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol> <p>Items 13 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>19. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>22. <input type="checkbox"/> Certificate of Mailing by Express Mail</li> <li>23. <input checked="" type="checkbox"/> Other items or information: <b>Associate Power of Attorney</b> <b>Unsigned Declaration and Power of Attorney</b></li> </ol>					

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53(b)) <b>09/914669</b>	INTERNATIONAL APPLICATION NO. <b>PCT/US00/05454</b>	ATTORNEY'S DOCKET NUMBER <b>MC-158.USA</b>
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24. The following fees are submitted: <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1000.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$860.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$710.00</b> <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$690.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> <b>\$690.00</b> Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)). <b>\$0.00</b>				<b>CALCULATIONS PTO USE ONLY</b>													
<table border="1"><thead><tr><th>CLAIMS</th><th>NUMBER FILED</th><th>NUMBER EXTRA</th><th>RATE</th></tr></thead><tbody><tr><td>Total claims</td><td>17 - 20 =</td><td>0</td><td>x \$18.00</td></tr><tr><td>Independent claims</td><td>5 - 3 =</td><td>2</td><td>x \$80.00</td></tr></tbody></table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	17 - 20 =	0	x \$18.00	Independent claims	5 - 3 =	2	x \$80.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE														
Total claims	17 - 20 =	0	x \$18.00														
Independent claims	5 - 3 =	2	x \$80.00														
Multiple Dependent Claims (check if applicable). <input checked="" type="checkbox"/>				<b>\$270.00</b>													
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,120.00</b>													
<input checked="" type="checkbox"/> Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				<b>\$560.00</b>													
<b>SUBTOTAL =</b>				<b>\$560.00</b>													
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). <b>+</b>				<b>\$0.00</b>													
<b>TOTAL NATIONAL FEE =</b>				<b>\$560.00</b>													
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>													
<b>TOTAL FEES ENCLOSED =</b>				<b>\$560.00</b>													
				Amount to be refunded	\$												
				charged	\$												



a. ☒ A check in the amount of **\$560.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **13-4213** A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO: <b>CUSTOMER NO. 005179</b> <b>Peacock, Myers &amp; Adams, P.C.</b> <b>Post Office Box 26927</b> <b>Albuquerque, New Mexico 87125-6927</b> <b>Phone (505) 998-1500</b> <b>Stephen A. Slusher direct (505) 998-6130</b> <b>FAX (505) 243-2542</b>  <b>005179</b> PATENT TRADEMARK OFFICE	 SIGNATURE <b>Stephen A. Slusher</b> NAME <b>43,924</b> REGISTRATION NUMBER <b>August 30, 2001</b> DATE
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**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): **Diane E. GOADE, Donna F. KUSEWITT, Robert A. NOFCHISSEY**

09/914669  
31 AUG 2001  
Docket No.

MC-158.USA

Serial No.

Filing Date  
**HEREWITH (8/30/01)**

Examiner

Group Art Unit

Invention: **HERPES SIMPLEX VIRUS REACTIVATION MODEL**

I hereby certify that the following correspondence:

**Transmittal Letter to US (DO/EO/US) Concerning filing Under 371 with attachments noted and \$560 fee check.**

*(Identify type of correspondence)*

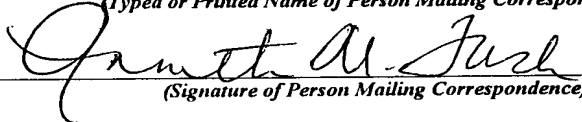
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

**August 30, 2001**

*(Date)*

**Annette M. Turk, Legal Assistant**

*(Typed or Printed Name of Person Mailing Correspondence)*



*(Signature of Person Mailing Correspondence)*

**EL847395078US**

*("Express Mail" Mailing Label Number)*

**Note: Each paper must have its own certificate of mailing.**